

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) An information communication apparatus comprising:
  - a) input means for inputting data;
  - b) enciphering means for enciphering the data;
  - c) judgment means for judging whether or not to perform enciphering based on a reception signal;
  - e) d) selection means for selecting whether or not to use said enciphering means based on a judgment result of said judgment means; and
  - d) e) transmission means for transmitting said enciphered data in case of being selected to use by said selection means, and for transmitting said input data in case of being selected not to use.
2. (Canceled)
3. (Currently Amended) An information communication apparatus according to claim 1, wherein said reception signal is a signal concerning a communication medium to which the apparatus on a transmission side and the apparatus on a reception side are connected  
~~selection means includes medium discrimination means for discriminating the communication medium connecting the apparatus of the data transmitting side and the apparatus of the data receiving side, and selects whether or not to use said enciphering means according to the communication medium.~~
4. (Currently Amended) An information communication apparatus according to claim 1, wherein said reception signal is a signal representing whether or not the apparatus on a

~~reception side can decipher the enciphered data selection means includes cipher permission discrimination means for discriminating whether the deciphering is possible at the apparatus of the data receiving side, and selects whether or not to use said enciphering means according to the result of said discrimination.~~

5. (Currently Amended) An information communication apparatus according to claim 1, wherein said reception signal is a signal representing a security level of said data ~~selection means includes secrecy level discrimination means for discriminating the level of secrecy of said data, and selects whether or not to use said enciphering means according to the result of said discrimination.~~

6. (Previously Presented) An information communication apparatus comprising:

- a) reception means for receiving data;
- b) discrimination means for discriminating whether the data is enciphered; and
- c) process means for processing a predetermined error process according to said discrimination results.

7. (Currently Amended) An information communication method comprising the steps of:

- a) inputting data;
- b) selecting whether or not to encipher the data;
- c) judging whether or not to perform enciphering based on a reception signal;
- e) d) enciphering the data according to said selection step based on a judgment result of said judging step; and
- d) e) transmitting said enciphered data in case of being selected to use by said selection step, and transmitting said input data in case of being selected not to use.

8. (Canceled)

9. (Currently Amended) An information communication method according to claim 7, wherein said reception signal is a signal concerning a communication medium to which the apparatus on a transmission side and the apparatus on a reception side are connected ~~selection step includes medium discrimination step of discriminating the communication medium connecting the apparatus of the data transmitting side and the apparatus of the data receiving side, and selects whether or not to use said enciphering step according to the communication medium.~~

10. (Currently Amended) An information communication method according to claim 7, wherein said reception signal is a signal representing whether or not the apparatus on a reception side can decipher the enciphered data ~~selection step includes cipher permission discrimination step of discriminating whether the deciphering is possible at the apparatus of the data receiving side, and selects whether or not to use said enciphering step according to the result of said discrimination.~~

11. (Currently Amended) An information communication method according to claim 7, wherein said reception signal is a signal representing a security level of said data ~~selection step includes secrecy level discrimination step of discriminating the level of secrecy of said data, and selects whether or not to use said enciphering step according to the result of said discrimination.~~

12. (Previously Presented) An information communication method comprising the steps of:

- a) receiving data;
- b) discriminating whether the data is enciphered; and
- c) processing a predetermined error process according to said discrimination results.

13-19. (Canceled)

20. (Previously Presented) A computer readable memory medium storing a program for functioning a computer as means described in claim 7.

21. (Previously Presented) A communication apparatus comprising:

- a) input means for inputting data;
- b) enciphering means for enciphering the data;
- c) discrimination means for discriminating whether an intermediate transfer device is present in a transmission path to a data destination apparatus; and
- d) transmission means for transmitting said enciphered data in case said discrimination means discriminates that an intermediate transfer is present, and for transmitting said input data in case said discrimination means discriminates that an intermediate transfer is not present.

22. (Original) A communication apparatus according to claim 21, wherein said intermediate transfer device is a server.

23. (Previously Presented) A communication apparatus according to claim 21, wherein said discrimination means discriminates based on the address of said destination apparatus.

24-33. (Canceled)

34. (Currently Amended) An information communication apparatus according to claim 1, wherein said judgment means judges whether or not to perform the enciphering based on plural reception signals ~~selection means includes a plurality of discrimination means, and selects whether or not to use said enciphering means, in accordance with said plurality of discrimination means.~~